



BATTLE BEGINS FOR THE NORTHERN PACIFIC ROAD

Full Text of the Petition of Harriman and Winslow Pierce.

Attorneys of the Hill-Morgan Faction Unable to Say What Course They Will Pursue.

New York, April 3.—At a recent conference in the office of J. P. Morgan tonight, it was said there was a practical and friendly agreement by representatives of the Harriman-Rockefeller interests on the one side and the Hill-Morgan interests on the other, to have the court decide the plan of distributing the securities held by the Northern Securities company.

T. PAUL, April 3.—None of the attorneys for the defendants in the suit of E. H. Harriman and Winslow Pierce and the Oregon Short Line Railway company against the Northern Securities company, notice of which was served yesterday, would make today any extended statement with reference thereto. It was admitted, however, that the suit was a step in the struggle for control in the Northern Pacific Railway company which is being waged between E. H. Harriman and allied interests, and James J. Hill, J. P. Morgan and others. That some step was anticipated the attorneys said, but each stated that the filing of the petition on Saturday came as a surprise, and he was unable to state what course would be pursued until the principals had been consulted.

The citation in the suit is directed to the Northern Securities company, the Northern Pacific, the Great Northern Railway, J. J. Hill, J. P. Morgan and others, and gives notice that on April 12, Harriman, Pierce and the Oregon Short Line Railway company will apply to the judges of the United States circuit court for leave to file a petition for intervention in the suit of the United States against the same defendants, with reference to the execution of the final decree of the court, which was filed April 3, 1902.

Held as a Pledge.

The petition states that the Northern Securities stock assigned to the petitioners in exchange for Northern Pacific common and preferred stock is held intact by the Equitable Trust company of New York, as pledge for a bond issue of the Oregon Short Line, and is available for exchange. It is alleged that the plan proposed for the distribution of Northern Securities assets by the pro rata return of Northern Pacific and Great Northern stock would leave the control of the two roads in the hands of the same people, who are now in control, and would in effect defeat the decree of the court. It is asked that the directors of the Northern Securities company be enjoined from carrying into effect the proposed plan of distribution, until the court acts upon this petition.

The Petition.

"First—Your petitioners, Harriman and Winslow Pierce, are now, and ever since November 18, 1901, have been the registered owners and holders of \$2,491,871 par value of the capital stock of the defendant Northern Securities company and such holding of stock by them is, and was as trustees for the use and benefit of your petitioner, the Oregon Short Line Railroad company, by indenture dated July 17, 1902, pledged \$2,491,871 par value of said stock with the Equitable Trust company of New York as trustee for an issue of bonds of said petitioner of \$2,200,000 face value have been certified and issued; but under the terms of said trust indenture the stock so pledged and standing in the name of your petitioners, Harriman and Pierce, is available to your petitioners for the purpose of tender, return and restoration of the status quo as hereinafter alleged and prayed, which will fully appear by reference to said trust indenture to be produced on the hearing.

Millions in the Deal.

"Third—As your petitioners have advised and believe, over 98 per cent of the outstanding capital stock of said Northern Securities company, and the capital stock of the Northern Pacific and Great Northern railways, respectively, and less than one-half per cent of said stock was issued for other property. They are further informed and believe that the value of the stock of said Northern Securities company was issued in exchange for \$23,750,000 par value of said Northern Securities company stock, and about \$22,000,000 par value of said Northern Securities company stock was issued in exchange for \$18,124,250 par value of the stock of the Great Northern Railway company.

"Fourth—The \$2,491,871 par value of stock of the Northern Pacific stock, now

INJUNCTION IS DISREGARDED

Evicted Miners of Telluride Who Went Back Under "Protection" of the Court Again Forced to Leave the Camp.

DENVER, Colo., April 3.—According to special dispatches from Telluride, all of the troops sent there when martial law was re-established ten days ago, with the exception of the Meeker cavalry and the home troop, left the camp today under orders to proceed to their home stations. This leaves less than 100 militiamen at Camp Telluride. The returning soldiers traveled in two special trains and with them were five military prisoners and seven others, deported by orders of the military. They were taken as far as Ridgeway and instructed to remain away from Telluride. Several of the deported men had previously been convicted and returned to Telluride under protection of the injunction issued by Judge Theron Stevens of Ouray. It is said that the five prisoners referred to had requested Adjutant General Bell to order their removal from the district so that they might secure their freedom from confinement.

SALT LAKE TRIBUNE

ESTABLISHED JUNE 6, 1870. SALT LAKE CITY, UTAH, MONDAY, APRIL 4, 1904. PRICE FIVE CENTS.

THE MISTAKEN MAN AT CARTHAGE.



A young lady of Galesburg who had been married a little over a year wrote to her father in Carthage, saying: "We have the dearest little cottage in the world, ornamented with the most charming little creepers you ever saw."



The old man read the letter and exclaimed:



"Twins, by thunder!"—(Carthage correspondence to the Burlington (Ill.) Journal.)

DROPS DEAD AT A BAR FOUR BOYS HORRIBLY BURNED

Aged Man Waits For Saloon to Open Then Dies Before Getting Drink. Three of Them in Critical Condition and Likely to Die—Provo Youths Were Playing With Powder and High Explosives.

Dennis Gallagher, 65 years of age, dropped dead in the Elk saloon at the corner of State and First South a few minutes after 12 o'clock this morning. He had been walking up and down the street for some time waiting for the saloon to open at 12 o'clock. As soon as the doors were unlocked he walked up to the bar, but before he could call for a drink fell over backwards. He was found by a passerby and taken to the hospital, where he died before the doctors could reach him. The cause of death is believed to be a heart attack.

(Special to The Herald.)
PROVO, April 3.—Walter Bushnell, Joseph Hill, Archie A. McBride and Alvin A. Lovelidge, boys ranging in age from fourteen to sixteen, living on Provo bench, started out today with a quantity of powder and other explosives for the purpose of enjoying some fireworks. They used up the material they had taken with them without any accident and then continued to get some more powder. They were near the Telluride Power company plant at the mouth of the canyon and knew where the company had some explosives stored in an outhouse. This they entered, filled their pockets with giant powder and giant caps and started away, going toward their homes.

IRISH NATIONALISTS MADE STRONG PROTEST

Cleveland, O., April 3.—The Irish Nationalists of this city have adopted strong resolutions protesting against an arbitration treaty between the United States of America and Great Britain. The views of George Washington relative to the danger of any foreign power are cited and the opinion is expressed that such a treaty between the United States and Great Britain would be an undesirable and dangerous precedent.

GOOD WEATHER WILL PREVENT DISASTER

Bellevue, O., April 3.—The levees of the Lewistown reservoir, although weak and insecure in many places, did not give way during last night, notwithstanding a wall of water three feet in height was whipped over the embankments by a strong north wind which blew throughout the entire night.

SUGAR FACTORY TO BE MOVED TO BLACKFOOT

Binghamton, N. Y., April 3.—The work of dismantling Binghamton beet sugar factory, which is to be removed to Blackfoot, Bingham county, Idaho, will be begun within a few days.

THREE PERSONS KILLED BY EXPLOSION IN IOWA

Marshalltown, Ia., April 3.—An explosion in the Citizens National bank building at Albion today resulted in the death of three persons being killed and several injured.

OUT OF AMMUNITION.

Cape Haytien, April 3.—A dispatch received here from Monte Cristi, Santo Domingo, reports that General Epifanio Rodriguez, being without ammunition, abandoned the town and embarked on the German steamer Hispania for St. Thomas. This news is confirmed by the Dominican consul here.

FIREBUG BUSY WITH SPOKANE BUILDINGS

Seattle, Wash., April 3.—In the third incendiary fire within two hours, early this morning, J. W. Norris was fatally burned, while trying to save his wife from the flames. Mr. Norris was let down from a second story window by her husband just after she had been rescued by a fireman.

EMPEROR WILLIAM NOT IN BAD HEALTH

Berlin, April 3.—The North German Gazette, a government organ, denies the rumors printed in London and circulated in the United States that the health of Emperor William is such that it gives occasion for concern. The paper adds that the emperor's condition of health remains excellent and that the voyage he is on now gives promise of full success in recuperating his strength.

LADY MINTO SAVED.

Ottawa, Ont., April 3.—The new wing of Rideau hall, the official residence of the governor, was destroyed by fire today. Some anxiety was at first felt for the safety of Lady Minto, who was lying in one of the apartments with a fractured leg, but her removal was accomplished without difficulty. Rideau hall was purchased as the vice royal residence thirty-six years ago, and has cost about \$200,000. The damage by the fire was about \$50,000.

WILL INSTRUCT FOR PARKER.

Albany, N. Y., April 3.—From a source so close to former Senator Hill that it may be understood as representing Mr. Hill's views, it is learned that it is intended that the Democratic national convention at St. Louis shall be positively instructed in favor of Judge Alton B. Parker as New York's choice for the presidential nomination.

JAPS CONTINUE THEIR ADVANCE

Now Within Two Days' March of Town of Wiju.

RUSSIANS ARE NOT IN SIGHT

LULL BEFORE THE FIRST GREAT BATTLE COMMENCES.

TOKIO, April 3 (7 p. m.).—The advance guard of the Japanese army in Northwestern Korea occupied the town of Seng Cheng yesterday afternoon without opposition. Seng Cheng is on the Pekin road, eighteen miles west of Cheng Ju, and about forty miles south of Wiju.

When the Japanese drove the Russians out of Cheng Ju last Monday, the Russians withdrew in two columns, one going over the Koak San road and the other over the Pekin road.

The Japanese advance from Cheng Ju was made rapidly. It was anticipated that the Russians would resist this advance, but they failed to do so, and it is now not probable that there will be any further opposition south of the Yalu river.

Cheng Ju, because of its superior natural surroundings, is the strongest place between Ping Yang and Wiju. Beside these natural advantages there is an old Korean fort there, which had been defended with spirit, would have been hard to take. The Japanese are gratified at the comparative ease with which they drove the Russians from this fort.

Russian patrols are reported to be in the country east of the Pekin road, but it is not probable that there is any considerable force of Russians in the country. The patrols are withdrawing gradually to the northward toward the Yalu.

It is reported that the ice on the Yalu is well broken up, and in the future the river must be crossed either in junks or over pontoon bridges.

A dispatch to the Associated Press from Tokio, dated April 1, said information had been received there from a private source that the Japanese, after driving the enemy at Cheng Ju, had advanced to Yong Chun (about forty-five miles west of Cheng Ju), from which place also they drove the Russians after a brief engagement. It is possible that the many different spellings given to Korean names in gazetteers and maps had led to confusion, and that the Seng-cheng mentioned in the dispatch of April 1, should be the same places. The two towns, however, are quite distinct, being about twenty miles apart.

GAME TO THE LAST.

Gallant Fight of Officers and Crew of Cruiser Bayan.

St. Petersburg, April 3.—The Novol Eral of Port Arthur thus describes the scene on board the cruiser Bayan during the recent bombardment in which she distinguished herself.

"Bursting shells boomed over man after man until the decks were splintered with blood. Amidst this storm the captain stood unmoved in the conning tower, calmly telephoning orders to his gun crews. His wonderful courage and his marvelous influence upon all the officers.

The cockpit was soon crowded, thirty men being there before the light ended, but amidst the crash of the thunder of explosions, the racket of splinters, and the din of the working engines, the surgeons labored over the sick as at a surgical operating table. Some of the men suffered from frightful agony, there were few groans in spite of the fact that anesthetics were administered only in small doses.

"When the battle ended and the enemy began to draw off, the officers on the bridge cheered and the cheering extended down into the hold, the splintered and even the wounded joining in it.

The captain signalled for full speed ahead after the retreating Japanese, but the Bayan had not gone far before the flagship signalled to return."

JAPS WERE RIGHT.

Makarov Responsible For Increased Russian Energy.

Port Arthur, April 3.—Preparations have been made to give the Japanese a warm reception in case they again attempt to block the harbor. Vice Admiral Togo was right in surmising that Vice Admiral Makarov is responsible for the change in Russian naval tactics and for the inspiration of Russian seamen.

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Bound For Seoul.

Seoul, Korea, April 3 (3 p. m.).—Five Japanese transports carrying light artillery, cavalry and infantry have

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GREAT AUDIENCE AT CONFERENCE

Fourteen Thousand Persons Attend Opening Sessions.

REFERENCES TO SMOOT

PRESIDENT SMITH'S COURSE COMMENDED IN ADDRESS.

FOURTEEN thousand persons passed through the gates leading into the tabernacle grounds yesterday afternoon. The occasion was the seventy-fourth annual conference of the Church of Jesus Christ of Latter-day Saints. The sessions began in the forenoon, but the biggest crowd was in the afternoon. Then the throngs filled every inch of available space in the tabernacle, packed the Assembly hall, where an overflow meeting was held, and occupied a large space on the grounds.

Several statements were made which were generally taken as references to the Smoot case and the testimony given there by President Joseph F. Smith to the effect that he intended to continue marriage relations with his plural wives. In the opening prayer Elder Joseph E. Taylor gave thanks for the way in which the president of the church had defended the principles of the faith both at home and abroad.

Tenor of Addresses.

President Smith, who presided, made an address in which he reviewed the Latter-day Saints to be firm in the faith, declaring the Lord would reward his people for following the laws of righteousness and truth. President Francis M. Lyman spoke in favor of "multiplying and replenishing the earth." He declared that all saints know when President Joseph F. Smith speaks, God is speaking through him, and the Lord makes no mistakes. Elder Brigham H. Roberts warned the Saints not to reject the word of God.

During the forenoon President John R. Winder made a reminiscent address and President Anthon H. Lund spoke on Easter and the resurrection of the dead. The afternoon sessions were devoted to the subject of Easter and the immortality of the soul. He made an incidental reference to Dr. W. M. Padgett's recent sermon attacking part of the Book of Mormon.

The conference will continue at 10 a. m. today.

Commends Valor and Wisdom.

The full capacity of the tabernacle was required to accommodate the large congregation that assembled for the first session of the conference. President Joseph F. Smith was the presiding officer and he also delivered the principal address, speaking at length with his accustomed earnestness.

In the opening prayer Joseph E. Taylor thanked the Lord for the wisdom of President Smith and for his valor in maintaining the principles of the church both at home and abroad.

President Smith dwelt upon the growth of the church and the divine protection that had been given it. He claimed that he could see the hand of God in the growth of the church, and in the affairs of the nation and the world, and that all things were working to accomplish his purpose. He stated that he was firm and fixed in the conviction that the Lord is mindful of his people and that he will reward them in due season for their righteousness and of truth, and that no one need fear following truth and righteousness to the best of their knowledge. He stated that the saints are too much like the rest of the world in many respects but that they possess the same passions and weaknesses that are possessed by the rest of the world.

Saints Must Keep Covenants.

The saints, he said, have made a covenant to forsake sin and that God expected them to keep that covenant by living consistent lives and observing his laws. He urged a constant remembrance of the prophet Joseph Smith and the priesthood which he said was nothing more or less than a living authority committed unto man by God himself. Some people, he said, think it is a sin for the saints to claim that the world would be better if the laws of God were enforced. He urged the saints to keep the faith delivered from a higher source than from man. If Christ were to come to rule on earth in person, he said, he would be upheld by the righteous, the virtuous and the pure, and that the wicked would be the enemies of the law. The murderers, those who bear false witness, and the atheists, and sometimes he thought that the atheist was not so far from Christ as some who pretend to each other to be Christians. He urged the saints to keep the laws of God and to honor the laws of men. He counseled them to pay their debts and to keep out of debt, and to protect their own righteousness by living Godly lives, and to keep the faith delivered to them in these latter days.

Story of Easter.

Apostle A. H. Lund was the next speaker and he gave an interesting history of Easter and the resurrection. He believed, he said, in an actual and literal resurrection, and that death was but a temporary separation of the spirit and the body.

John R. Winder made the closing remark.

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NOT MELDRUM'S FIRST KILLING

Slayer of the Telluride Miner Had a Bad Record in Wyoming Before He Went to Colorado—Friend and Pal of Tom Horn.

(Special to The Herald.)
HEYENNE, Wyo., April 3.—The report from Telluride that "Bob" Meldrum had committed a murder there caused no surprise among Meldrum's acquaintances. Meldrum is well known in this state as a trouble maker and bully, ever ready to use his gun.

Meldrum was a warm personal friend of the late Tom Horn, and during the two years Horn was confined in the county jail here Meldrum made several ineffectual efforts to visit the prisoner. Falling in this, he devoted his spare time in writing letters to Horn, in which he roasted Sheriff Smalley and his deputies, and in which he usually assured Horn that he would be there to greet you when you come out.

Six weeks before the execution Meldrum wrote Horn a letter, in which he stated positively that the prisoner would be delivered. "Don't worry, Tom," wrote Meldrum. "Your friend will get you off of there and I will be there to greet you when you come out."

It was feared for a time that Meldrum would attempt to lead a gang of cowboys against the jail and deliver Horn, but as soon as Meldrum's plans were disclosed, officers were posted to his trail and his every move was closely watched until after Horn was executed.

On one occasion Meldrum wrote a threatening letter to Sheriff Smalley, in which he said he could whip the Laramie county officer. Sheriff Smalley replied that he was not only ready for Meldrum at any time, but that he (Smalley) would make Meldrum take water the first time they met. And Smalley kept his word, for the would-be bad man was as meek as a lamb when he met the sheriff.

Meldrum gained considerable notoriety a few years ago while marshal of the town of Baggs, near the Wyoming-Colorado state line. He went to town there, drew a Mexican sheep herder one day, and the Mexican resisted and was shot down for his trouble. Meldrum was acquitted, but witnesses believed the killing unwarranted.